

HIGH COURT OF UTTARANCHAL AT-NAINITAL.

Writ Petition No. 739(S/S)2004

1. Phul Singh S/o late Sri Guruden,
2. Smt. Rajo, W/o Phul Singh,
Presently both working in Community health Center,
Dwarahat, Distt. Almora. Petitioners.

Vs.

State of Uttaranchal through Secretary,
Medical & Health, Dehradun,
And another. Respondents.

Sri M.C. Pandey, learned counsel for the petitioners,
Learned Standing Counsel for the respondents.

Hon'ble M.M. Ghildiyal, J.:

Heard Sri M.C. Pandey, learned Counsel for the petitioners and learned Standing Counsel who has accepted notices on behalf of the respondents.

Vide order dated 18th June 2004, passed by Chief Medical Officer, Almora, the petitioners who are stated to be the Sweepers in the Community Health Center, Dwarahat and Govt. Female Hospital, Dwarahat have been transferred to Primary Health Center, Shalt and Govt. Male Hospital, Shalt respectively. Submission of the petitioners is that they are the permanent residents of the State of U.P. and they have opted for State of U.P. and, as such, till they are finally allocated for the State of U.P. they may not be transferred. I find no merit in the submissions made by the petitioners.

The petitioners have further prayed that the grand daughter of the petitioners is under treatment of Pulmonary Tuberculosis in Shushila Tewari Hospital, Haldwani and it is convenient for them to complete medical treatment of their grand daughter from Dwarahat.

Considering this fact, I direct the petitioners to make representation to the respondent no.2/ Chief Medical Officer, Almora within one week from today and the respondent no.2 shall decide the representation so filed, within a period of four weeks from the date of receipt of the representation. Till the disposal of the representation, the

impugned transfer order dated 18th June 2004 shall be kept in abeyance provided the same has not been given affect to.

With these directions, the writ petition is finally disposed of.

(M.M. Ghildiyal, J.)

July 6, 2004:
NCM: